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TAGS: [UNSC](#) [SY](#) [LE](#) [IS](#) [PREL](#)
SUBJECT: INSTRUCTIONS: CONFIRMING LANGUAGE ON SHEBA'A IN
UNSC RESOLUTION 1701 REPORT

Classified By: IO A/S Kristen Silverberg, for reasons 1.4 (b)
and (d).

11. (C) This is an action request. Department requests
USUN confirm with the UN Secretary General (SYG) the
specific language that it will use on the Sheba'a Farms
issue in the upcoming UN Security Council resolution 1701
report. End action request.

12. (C) USUN should pursue the following objectives:

-- Verify with SYG Ban that the upcoming UN Security
Council resolution 1701 report will include only a
territorial definition of the Sheba'a Farms area.

-- Ask SYG Ban to show the USG the specific language in
the report so that we can confirm that 1) there is nothing
in the language that assigns or suggests the transference
of sovereignty (including references to a "new legal reality");
and 2) there are no calls for the Sheba'a Farms area to be
turned over to UN jurisdiction/administration.

-- Underscore that we must not lose sight of the need for
Syria to end its refusal to cooperate in delineating the border
and for ceasing its interference in Lebanon, as called
for in UNSCR 1559. The only real way to final resolution
of the Sheba'a issue is for Syria and Lebanon to delineate
their shared border.

-- Note that the SYG is mandated under paragraph 10 of UN
Security Council resolution 1701 to develop proposals both
for disarmament and for delineation of the border,
including the Sheba'a farms area, and that these two
issues should be handled together. Therefore, discussions
of the status of Sheba'a Farms area are premature.

13. (U) Point of Contact is Anneliese Reinemeyer, IO/UNP,
(202) 647-0046 or in the GAL. Reporting deadline is June
26, 2007.

Background

14. (U) Background: The Sheba'a Farms represents the
southern slope of a southwestern spur of Jabal al Shayk
(Mount Hermon) down to the Wadi al Asal valley. On most
maps the ridge of the watershed spur is shown as the
Lebanon-Syria boundary, placing the region in the
Israeli-occupied Golan Heights. However, since 2000,
Lebanon has claimed Sheba'a Farms. The dispute over its
ownership is grounded in the historical ambiguity during
the French Mandate of Lebanese administration of the farms
and maps showing the boundary pertaining to Syria. The
matter was compounded after independence by the states'

reluctance to demarcate their common border. On almost all official maps - including the 1949 Armistice Agreements between Syria and Israel, the 1974 maps establishing the UN Disengagement Observer Force's (UNDOF) area of operation, the 1978 maps establishing the UN Interim Force in Lebanon's (UNIFIL) area of operation, and the 2000 UN certification of Israeli withdrawal from Lebanon - Sheba'a is depicted within Syria; however, these maps, based on maps developed by the French Mandate administrations with little consideration to local realities or the process of delimitation, survey, and demarcation. Documents from the 1920s and 1930s suggest that local inhabitants regarded themselves as part of Lebanon, paid taxes and registered land in Lebanon. Two French officials in the 1930s wrote letters with sketch maps to the French High Commission in Beirut requesting that maps be changed to reflect Lebanese administration, but no actions were taken. At no time during the Mandate did France ever publish a description of the Lebanon-Syria boundary alignment and only drew the line on medium-scale maps. Even after independence, Syria and Lebanon did little to formally survey and demarcate their common border.

15. (U) Israel captured the Sheba'a Farms along with the Golan Heights in 1967 during the Six Day War. Lebanon was not an active participant in the war. Israel and Syria considered Sheba'a Farms to be part of the Syrian Golan Heights at the time of the war. Controversy arose only after the UN certified the withdrawal of Israeli troops from southern Lebanon in 2000, whereupon Hizballah began to cite, among other supposed grievances, the ongoing "occupation" of Sheba'a Farms as the basis for its continued attacks on Israel. Hizballah refuses to recognize the state of Israel, and its spokesmen have called for its destruction.

16. (U) The resolution ending the conflict between Israel and Hizballah in the summer of 2006, UN Security Council resolution 1701, asked the UN Secretary General to "develop, in liaison with relevant international actors and the concerned parties, proposals to implement the relevant provisions of the Taif Accords, and resolution 1559 (2004) and 1680 (2006), including disarmament, and for delineation of the international borders of Lebanon, especially in those areas where the border is disputed or uncertain, including by dealing with the Sheba'a farms area..." Lebanese Prime Minister Siniora offered a solution to the Sheba'a Farms issue in his Seven Point Plan, which proposed that the area should be turned over to the UN's jurisdiction/administration until such a time as its sovereignty could be established, with the right of return for its former residents. The Secretary General hired an experienced cartographer to review boxes of "evidence" from French colonial archives and elsewhere of Lebanese administration of Sheba'a Farms; he was to establish the provenance and veracity of the documents and define the territorial limits of the claimed area. The cartographer's findings are scheduled to be included in the June 1701 report; unfortunately, the previous 1701 report suggests that the SYG might be prepared to purport to determine sovereignty of the area based on these documents, as well as the "new legal reality" of Syria purportedly renouncing its claim to the Sheba'a Farms area and announcing that the land is Lebanese territory. (Despite public words to the contrary, in practice the SARG resists any efforts to demarcate the border between Syria and Lebanon.) The Secretariat is under pressure from France and Lebanon to make a final decision on Sheba'a (presumably to follow PM Siniora's idea of UN Jurisdiction/administration) as soon as possible in order to support the Siniora government.

17. (C) The U.S. view is that, as the Council and the UN move forward on implementing UN Security Council resolution 1701, we must be careful not to embolden Hizballah and we must be sure that all actions are decided in consultation with the concerned parties. We recommend the SYG begin by providing a territorial definition of the Sheba'a area (as the actual boundaries have not been

clearly delimited) and then develop proposals for full delineation (this presumably means delimitation, survey, and demarcation) of the entire border between Lebanon and Syria, and for disarmament, which the Council can consider. The Department would not have an objection to language that presented only a territorial definition of Sheba'a Farms but would strongly object to any language purporting to assign sovereignty of the area or to call for a UN presence.

18. (C) According to UNDP's Michael Williams, the next report will define the territorial boundaries of Sheba'a, leaving off the upper Mount Hermon ridge near the UNDOF border tripoint in the east and most of the Al Ghajjar plain in the west, making the total area smaller than some have expected, but the report will not say anything about who has sovereignty over the territory.

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